AN ACT
relating to the preparation, certification, and classification of
and professional development for public school educators.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Section 21.001, Education Code, is amended to
read as follows:
Sec. 21.001. DEFINITIONS. In this chapter:
(1) "Commissioner" includes a person designated by the commissioner.
(2) "Digital learning" means any type of learning that
is facilitated by technology or instructional practice that makes
effective use of technology.
(3) "Digital literacy" means having the knowledge and
ability to use a range of technology tools for varied purposes. The
term includes the capacity to use, understand, and evaluate
technology for use in education settings.
SECTION 2. Section 21.043, Education Code, is amended to
read as follows:
Sec. 21.043. ACCESS TO PEIMS DATA. (a) The agency shall
provide the board with access to data obtained under the Public
Education Information Management System (PEIMS).
(b) The agency shall provide educator preparation programs
with data based on information reported through the Public
Education Information Management System (PEIMS) that enables an
educator preparation program to:

(1) assess the impact of the program; and
(2) revise the program as needed to improve the design and effectiveness of the program.

(c) The agency in coordination with the board shall solicit input from educator preparation programs to determine the data to be provided to educator preparation programs.

SECTION 3. Section 21.044, Education Code, is amended by adding Subsections (c-2) and (f-1) to read as follows:

(c-2) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction in digital learning, including a digital literacy evaluation followed by a prescribed digital learning curriculum. The instruction required must:

(1) be aligned with the International Society for Technology in Education's standards for teachers;
(2) provide effective, evidence-based strategies to determine a person's degree of digital literacy; and
(3) include resources to address any deficiencies identified by the digital literacy evaluation.

(f-1) Board rules addressing ongoing educator preparation program support for a candidate seeking certification in a certification class other than classroom teacher may not require that an educator preparation program conduct one or more formal observations of the candidate on the candidate's site in a
face-to-face setting. The rules must permit each required formal observation to occur on the candidate's site or through use of electronic transmission or other video-based or technology-based method.

SECTION 4. Section 21.045, Education Code, is amended by adding Subsection (d) to read as follows:

(d) To assist an educator preparation program in improving the design and effectiveness of the program in preparing educators for the classroom, the agency shall provide to each program data that is compiled and analyzed by the agency based on information reported through the Public Education Information Management System (PEIMS) relating to the program.

SECTION 5. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0489 to read as follows:

Sec. 21.0489. EARLY CHILDHOOD CERTIFICATION. (a) To ensure that there are teachers with special training in early childhood education focusing on prekindergarten through grade three, the board shall establish an early childhood certificate.

(b) A person is not required to hold a certificate established under this section to be employed by a school district to provide instruction in prekindergarten through grade three.

(c) To be eligible for a certificate established under this section, a person must:

(1) either:
   (A) satisfactorily complete the course work for that certificate in an educator preparation program, including a knowledge-based and skills-based course of instruction on early
childhood education that includes:

(i) teaching methods for:

(a) using small group instructional formats that focus on building social, emotional, and academic skills;

(b) navigating multiple content areas; and

(c) managing a classroom environment in which small groups of students are working on different tasks; and

(ii) strategies for teaching fundamental academic skills, including reading, writing, and numeracy; or

(B) hold an early childhood through grade six certificate issued under this subchapter and satisfactorily complete a course of instruction described by Paragraph (A);

(2) perform satisfactorily on an early childhood certificate examination prescribed by the board; and

(3) satisfy any other requirements prescribed by the board.

(d) The criteria for the course of instruction described by Subsection (c)(1)(A) shall be developed by the board in consultation with faculty members who provide instruction at institutions of higher education in educator preparation programs for an early childhood through grade six certificate.

SECTION 6. Section 21.051, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:
(b) Before a school district may employ a candidate for certification as a teacher of record and, except as provided by Subsection (b-1), after the candidate's admission to an educator preparation program, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities under supervision at:

(1) a public school campus accredited or approved for the purpose by the agency; or

(2) a private school recognized or approved for the purpose by the agency.

(b-1) A candidate may satisfy up to 15 hours of the field-based experience requirement under Subsection (b) by serving as a long-term substitute teacher as prescribed by board rule. Experience under this subsection may occur after the candidate's admission to an educator preparation program or during the two years before the date the candidate is admitted to the program. The candidate's experience in instructional or educational activities must be documented by the educator preparation program and must be obtained at:

(1) a public school campus accredited or approved for the purpose by the agency; or

(2) a private school recognized or approved for the purpose by the agency.

SECTION 7. Section 21.052, Education Code, is amended by adding Subsection (a-1) and amending Subsection (e) to read as follows:
The commissioner may adopt rules establishing exceptions to the examination requirements prescribed by Subsection (a)(3) for an educator from outside the state to obtain a certificate in this state.

(e) An educator who has submitted all documents required by the board for certification and who receives a temporary certificate as provided by Subsection (c) [a] must perform satisfactorily on the examination prescribed under Section 21.048 not later than the first anniversary of the date the board completes the review of the educator's credentials and informs the educator of the examination or examinations under Section 21.048 on which the educator must perform successfully to receive a standard certificate.

SECTION 8. Sections 21.054(d) and (e), Education Code, are amended to read as follows:

(d) Continuing education requirements for a classroom teacher must provide that not more than 25 percent of the training required every five years include instruction regarding:

1. collecting and analyzing information that will improve effectiveness in the classroom;
2. recognizing early warning indicators that a student may be at risk of dropping out of school;
3. digital learning, digital teaching, and integrating technology into classroom instruction; and
4. educating diverse student populations, including:
   (A) students with disabilities, including mental health disorders;
students who are educationally disadvantaged; students of limited English proficiency; and students at risk of dropping out of school.

(e) Continuing education requirements for a principal must provide that not more than 25 percent of the training required every five years include instruction regarding:

(1) effective and efficient management, including:
   (A) collecting and analyzing information;
   (B) making decisions and managing time; and
   (C) supervising student discipline and managing behavior;

(2) recognizing early warning indicators that a student may be at risk of dropping out of school;

(3) digital learning, digital teaching, and integrating technology into campus curriculum and instruction; and

(4) educating diverse student populations, including:
   (A) students with disabilities, including mental health disorders;
   (B) students who are educationally disadvantaged;
   (C) students of limited English proficiency; and
   (D) students at risk of dropping out of school.

SECTION 9. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0543 to read as follows:

Sec. 21.0543. CONTINUING EDUCATION CREDIT FOR INSTRUCTION RELATED TO DIGITAL TECHNOLOGY. The board shall propose rules
allowing an educator to receive credit toward the educator's continuing education requirements for completion of education courses that:

(1) use technology to increase the educator's digital literacy; and

(2) assist the educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

SECTION 10. Section 21.451, Education Code, is amended by amending Subsection (d) and adding Subsection (d-3) to read as follows:

(d) The staff development:

(1) may include training in:

(A) technology;

(B) conflict resolution;

(C) discipline strategies, including classroom management, district discipline policies, and the student code of conduct adopted under Section 37.001 and Chapter 37; [and]

(D) preventing, identifying, responding to, and reporting incidents of bullying; and

(E) digital learning;

(2) subject to Subsection (e) and to Section 21.3541 and rules adopted under that section, must include training that is evidence-based [based on scientifically based research], as defined by Section 8101, Every Student Succeeds Act [9101, No Child Left Behind Act of 2001] (20 U.S.C. Section 7801), that:

(A) relates to instruction of students with
disabilities; and

(B) is designed for educators who work primarily outside the area of special education; and

(3) must include suicide prevention training that must be provided:

(A) on an annual basis, as part of a new employee orientation, to all new school district and open-enrollment charter school educators; and

(B) to existing school district and open-enrollment charter school educators on a schedule adopted by the agency by rule.

(d-3) The digital learning training provided by Subsection (d)(1)(E) must:

(1) discuss basic technology proficiency expectations and methods to increase an educator's digital literacy; and

(2) assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

SECTION 11. Section 30A.112(b), Education Code, is amended to read as follows:

(b) The state virtual school network may provide or authorize providers of electronic professional development courses to provide professional development for:

(1) teachers who are teaching subjects or grade levels for which the teachers are not certified; or

(2) teachers who must become highly qualified under Section 1119, No Child Left Behind Act of 2001 (20 U.S.C. Section
SECTION 12. The following provisions of the Education Code are repealed:

(1) Section 21.005; and

(2) Section 21.052(g).

SECTION 13. The State Board for Educator Certification shall propose rules:

(1) establishing requirements and prescribing an examination for an early childhood certificate examination as required by Section 21.0489, Education Code, as added by this Act; and

(2) establishing standards to govern the approval and renewal of approval of educator preparation programs for early childhood certification.

SECTION 14. The commissioner of education is required to implement Sections 21.043(b) and (c) and 21.045(d), Education Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commissioner of education may, but is not required to, implement those sections using other appropriations available for the purpose.

SECTION 15. This Act applies beginning with the 2017-2018 school year.

SECTION 16. This Act takes effect immediately if it
receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.
S.B. No. 1839

President of the Senate  

Speaker of the House

I hereby certify that S.B. No. 1839 passed the Senate on May 4, 2017, by the following vote: Yeas 30, Nays 1; May 25, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1839 passed the House, with amendments, on May 23, 2017, by the following vote: Yeas 137, Nays 7, one present not voting; May 26, 2017, House granted request of the Senate for appointment of Conference Committee; May 28, 2017, House adopted Conference Committee Report by the following vote: Yeas 138, Nays 8, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor